FILED

JUN 27 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY EF DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. Raul SANCHEZ Jr. (1), Diana Magali VARGAS-Tapia (2), Defendants.	Magistrate Case No. 08 MJ 8574 COMPLAINT FOR VIOLATION OF 21 U.S.C. § 952 and 960 Importation of a Controlled Substance (Felony)

The undersigned complainant being duly sworn states:

That on or about June 26, 2008 within the Southern District of California, defendants Raul SANCHEZ, Jr., and Diana Magali VARGAS-Tapia, did knowingly and intentionally import approximately 12.48 kilograms (27.45 pounds) of Cocaine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Section 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Special Agent Enrique Torregrosa
U. S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 27th DAY OF JUNE 2008.

WILLIAM MCCURINE, JR.
UNITED STATES MAGISTRATE JUDGE

UNITED STATES OF AMERICA
v.
Raul SANCHEZ, Jr. (1)
Diana Magali VARGAS-Tapia (2)

STATEMENT OF FACTS

This complaint is based on the reports, documents, and notes furnished to U. S. Immigration and Customs Enforcement Special Agent Enrique Torregrosa.

On June 26, 2008, at approximately 1920 hours, Raul SANCHEZ Jr. entered the United States from the Republic of Mexico via the Calexico, California East Port of Entry. SANCHEZ made entry driving a 2007 Toyota Rav4, bearing California U.S. plate number 6CWZ912. SANCHEZ was the driver and was accompanied by his girlfriend, Diana Magali VARGAS-Tapia.

During a pre-primary operation, a Human/Narcotic Detector Dog alerted to the vehicle. SANCHEZ gave a negative oral Customs declaration to Customs and Border Protection Officer (CBPO) R. Ramos. CBPO Ramos asked SANCHEZ where they were going. SANCHEZ stated they were going to Indio, California, to play in the casinos. CBPO Ramos asked about the vehicle SANCHEZ was driving. SANCHEZ stated it belonged to his father.

A subsequent search of the vehicle by CBPO Ramos revealed eleven packages with a combined weight of 12.48 kilograms (27.45 pounds) of cocaine, concealed within the center console of the vehicle. CBPO Ramos probed one package, producing a white powdery substance, which field-tested positive for cocaine.

SANCHEZ and VARGAS were arrested for importation of cocaine into the United States. SANCHEZ and VARGAS were advised of their rights, per Miranda.

SANCHEZ and VARGAS acknowledged and waived their rights agreeing to answer questions without the presence of an attorney. SANCHEZ and VARGAS stated they have been smuggling what they suspected was marijuana since February, 2008 approximately ten to fifteen times. SANCHEZ and VARGAS stated they were paid $2,500.00 for each time.